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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,063	12/22/2000	Timothy A. Best	ST9-99-186	1655

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EXAMINER

PILLAI, NAMITHA

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 07/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/747,063

Applicant(s)

BEST ET AL

Examiner

Namitha Pillai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-42, 46-48, 51, 52 and 54-60 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42, 46-48, 51, 52 and 54-60 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. The Examiner acknowledges Applicant's response submitted on 5/9/05, wherein amendments were made to claims 1, 10-13, 15, 24-26, 29, 38-40, 46-48, 51-52, 54-56, the addition of new claims 57-60 and the cancellation of claims 43-45, 49-50 and 53. All pending claims are rejected as being previously disclosed and obvious over the prior art disclosed.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 9-12, 14-18, 23-26, 28-32, 37-40, 42, 46-48 and 51-60 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by International Publication WO 98/43170 (Banthia).

Referring to claims 1 and 29, Banthia discloses a method of executing applets, by receiving user selection of a plurality of applets and generating separate windows within a main applet for each of the selected applet (page 8, lines 25-37). Banthia discloses that the main applet executes each applet in a separate window (page 8, lines 30-33).

Referring to claims 2, 16 and 30, Banthia discloses that one applet may be selected multiple times (page 4, lines 7-10), wherein continuous updating of one applet involves selection of that applet multiple times.

Referring to claims 3, 4, 17, 18, 31 and 32, Banthia discloses enabling each window to be resized and repositioned (page 4, lines 14-17).

Referring to claims 9, 23 and 37, Banthia discloses enabling windows to be tiled (Figure 5).

Referring to claims 10, 24 and 38, Banthia discloses loading the main applet into a browser window (page 5, lines 19-32).

Referring to claims 11, 25 and 39, Banthia discloses loading the main applet into a Java application, wherein the main applet is a webtop applet (page 2, lines 30-36).

Referring to claims 12, 26, 40 and 53, Banthia discloses executing the main applet to display a list of available applets from which users can select applets (page 5, lines 23-32 and Figure 5).

Referring to claims 14, 28 and 42, Banthia discloses that separate windows are generated for applets selected from a toolbar (Figure 5).

Referring to claim 15, Banthia discloses an apparatus for executing applets with a client computer having data stored (page 3, lines 31-38). Banthia also discloses a server computer having data store coupled to and connected to the client computer via a network (Figure 1). Banthia also discloses one or more computer programs, performed by the computers for receiving user selection of a plurality of applets, generating separate windows within a main applet for each of the selected applets and the main applet executing each applet in a separate window (page 8, lines 25-37).

Referring to claim 46, Banthia discloses a method of executing applets by opening a main applet to display a list of applets (Figure 5, page 3, lines 34-38 and page 4, lines 1-2). Banthia discloses a user selecting from the list at least two applets, transmitting the user selection of the at least two applets to the main applet (page 8, lines 25-37). Banthia discloses generating a

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separate window within the main applet for each selected applet and the main applet executing each of the selected applets in the separate window (page 8, lines 25-38).

Referring to claims 47 and 48, Banthia discloses that the main applet is an applet web top viewer, wherein the plurality of applets are positioned within a single page of the web top viewer (Figure 5).

Referring to claim 51, Banthia discloses that plurality of applets are positioned within a single fixed space window (Figure 5).

Referring to claims 52, Banthia discloses that the plurality of applets are executed from within the main applet (page 4, lines 1-6).

Referring to claim 54, Banthia discloses receiving at substantially the same time the user selection of the plurality of applets (page 8, lines 25-35).

Referring to claim 55, Banthia discloses that the main applet generates separate windows for the selected applets within a window of the main applet (Figure 5).

Referring to claim 56, Banthia discloses that all of the windows for the selected applets are generated within display space defined for the main applet (Figure 5).

Referring to claim 57, Banthia discloses a method of executing applets by loading a main applet, dynamically selecting a plurality of applets and loading the dynamically selected plurality of applets into the main applet (page 3, lines 31-page 4, lines 1-2). Banthia discloses generating separate windows for each loaded applet and executing each loaded applet in a separate window (page 8, lines 25-35).

Referring to claim 58, Banthia discloses that the main applet is a platform for running any applet (page 5, lines 25-30).

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Referring to claim 59, Banthia discloses that the main applet is a platform for dynamically running applets (page 4, lines 5-10).

Referring to claim 60, Banthia discloses dynamically loading and removing applets from the main applet (page 7, lines 7-18).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5-8, 19-22 and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Banthia and U. S. Patent No. 5,561,757 (Southgate).

Referring to claims 5-8, 19-22 and 33-36, Banthia does not disclose minimizing, maximizing, overlapping and cascading of windows. Southgate discloses allowing windows to be minimized and maximized (column 1, line 59-60), overlapping of windows (column 2, lines 10-11) and cascading (column 3, lines 5-6). It would have been obvious for one skilled in the art at the time of the invention to learn from Southgate to implement means for manipulating the windows wherein the applications would be represented. Southgate discusses these manipulation techniques as being applicable to any GUI with windows (column 1, lines 26-37), as such as is disclosed in Banthia. Hence, one skilled in the art, at the time of the invention would have been motivated to learn from Southgate to implement basic manipulation techniques for the layout of the windows.

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4. Claims 13, 27 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Banthia and "The Swing Tool Set" article.

Referring to claims 13, 27 and 41, Banthia does not disclose using a JInternal frame window to represent the applet windows. "The Swing Tool Set" article discloses a means for using JInternal frames, wherein these components would be used to represent objects, such as windows in desktop environments (page 10, row 4), much like the desktop environments of Banthia. It would have been obvious for one skilled in the art, at the time of the invention to learn from the article to implement the window representation of the applets through a JInternal frame component. JInternal frame components are obviously used to represent objects within a desktop environment, much like the ones used in Banthia. Hence, it would have been obvious for one skilled in the art, at the time of the invention to learn from the article to implement the applets such as they are represented through JInternal frame windows.

#### ***Response to Arguments***

5. Applicant's arguments filed 5/9/05 have been fully considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

6. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach the method for executing applets.

Responses to this action should be mailed to: Commissioner of Patents and

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Trademarks, Washington D.C. 20231. If applicant desires to fax a response, central FAX number (703) 872-9306 may be used. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (571) 272-4054. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai  
Assistant Examiner  
Art Unit 2173  
June 23, 2005



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